C.S.1002 (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W. P. NO. 3319 OF 2004

PETITIONER

M.M. Khan S/o Late Shri M.M. Khan, aged about 50 years, Occupation – Service, posted Assistant Mining Officer [substantively holding the post of Mining Inspector] O/O The Collector, Raigarh District Raigarh [C.G]

P.R. No. 3299/04
Presented by Shri A.S. Chauhan
dated 15-9-04

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary, Department of Mining, Mantralaya, Dau Kalyan Singh Bhawan, Raipur [Chhattisgarh].

2. Director, Geology & Mining Chhattisgarh, Sonakhan Bhawan, Ring Road, No.1, Village Ravigram, Raipur [CG]

RECEIVED COPY 15/9/04 Clerk to A.G. Bilaspur

3. M. L. Kesharwani, Assistant Mining Officer, District Office Dhamtari [Chhattisgarh]

4. Y. R. Sahu, Assistant Mining Officer, District Office Raipur Dist. Raipur [Chhattisgarh]

5. Dilip Dongaonkar, Assistant Mining Officer, District Office Bilaspur [Chhattisgarh]

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6. R. R. Khan, Assistant Mining Office, Directorate of Central Flying Squad, Raipur [CG]

7. R.P. Shukla, Assistant Mining Officer, District Office Rajnandgaon [Chhattisgarh]

8. J. P. Guru, Assistant Mining Officer, District Office, Bastar District Bastar [Chhattisgarh]

(5)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 3319/2004

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	28/10/2004 Shri Manindra Shrivastava, counsel for the Petitioner. Shri Somesh Bajaj, Deputy Govt. Advocate for the Respondents No.1 and 2. Smt. Fouzia Mirza, counsel for the Respondent No.5. The petitioner has preferred this writ petition questioning the validity of the order dated 10.9.2004 passed by the Director, Geology & Mining, Chhattisgarh, Raipur issuing promotion orders of the Respondents No. 3 to 8 and the correctness of the Gradation List dated 22.5.2004 fixing the seniority of the petitioner below the Respondents No. 3 to 8. Learned counsel for the petitioner submits that the petitioner was appointed as Mining Inspector in the year 1976 and since then he was not confirmed till 1990. The Respondents No. 3 to 8 were appointed subsequent to the petitioner and they have been promoted but the petitioner has not yet been promoted. The petitioner was regularly making representations since the year 1992 raising his grievance regarding his seniority. The last representation to this effect was made in the year 2004 but the respondents No. 1	

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आदेश पत्रक

मामला क्रमांक W.P. 3315/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 3 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

and 2 have not yet decided his representation, therefore, the respondents be directed to decide the representation of the petitioner and pass orders in accordance with law, to which learned counsel for the State and Respondent No.5 have no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, in the opinion of this Court the limited prayer made by learned counsel for the petitioner appears to be reasonable. Therefore, the respondent No.1 is directed to decide the representation made by the petitioner in accordance with law within a period of 30 days from the date of receipt of copy of this order, after affording an opportunity of hearing to the petitioner.

With the direction aforesaid, the petition stands disposed of.

Consequently, M(W)P No. 2914/2004 and I.A. No. 7072/2004 also stand disposed of.

Certified copy as per Rules.

Sd/-
L.C. Bhadoo
Judge

Thakur

[पीछे देखिये